IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ petition No. 848 (M/S) 2003

Chet Singh ---- Petitioner

Vs.

Addl. Chief Revenue Commissioner
And others. ---- Respondents.

Hon'ble P.C. Verma,J.

Heard learned counsel for both the parties.

This writ petition arises out of the proceedings under Section 33/39 of the Land Revenue Act relating to correction of entry of names recorded in the revenue records.

The proceedings under Section 33/39 of the Land Revenue Act are summary in nature. No title is decided in these proceedings. The application of the petitioner has been rejected by the Trial Court as well as the Revisional Court.

I have perused the orders passed by the courts below. I do not find any infirmity or illegality in the orders impugned.

Since, the proceedings under Section 33/39 of the Land Revenue Act are summary in nature, it is open for the petitioner to get his title declared by filing a suit under Section 229-B of U.P.Z.A. & L. R. Act. If he feels that he has title over the land in dispute, which entitles him to get his name recorded, he can file such suit. If such suit is filed from a period of three months from today, the same shall be decided by the S.D.M. concerned within a period of three months, after filing of the suit. In the meantime, till the decision in the suit, the parties shall maintain status-quo.

The petition is disposed of accordingly.

(P.C.Verma, J.)

October 9, 2003:
NCM: